IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP NO.15975 of 2006

DATE OF DECISION: October 10, 2006

Sushil Gupta

….Petitioner

VERSUS

The State of Haryana and others

…..Respondents

CORAM:- HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S.BHALLA

PRESENT: Shri Ramesh Goyat, Advocate for the petitioner.

Viney Mittal,J.(Oral).

Notice of motion to the respondents No.1 to 3 only.

On the asking of Court, Shri Ashok Jindal, Additional Advocate General, Haryana accepts notice on behalf of the said respondents.

Copies of the writ petition have been supplied to the learned counsel for the respondents.

The petitioner has approached this Court claiming the issuance of direction to respondent No.3, Joint Commissioner (Enforcement), Municipal Corporation, Faridabad to perform his statutory duty in terms of proviso to Section 55 of HUDA Act and to take appropriate steps for removal of alleged illegal construction raised by respondents No.4 and 5.

After hearing the learned counsel for the parties and taking into consideration the averments made in the present petition, we find that the petitioner has already filed a representation (Annexure P.5) dated July 29, 2006 which remains unresponded so far.

In this view of the matter, without going into the merits of the claim made by the petitioner, we dispose of the present petition with a direction to the Joint Commissioner (Enforcement), Municipal Corporation, Faridabad, respondent No.3 to take a final decision on the aforesaid representation (Annexure P.5) within a period of six months from the date a certified copy of this order is received, by affording an opportunity to the petitioner as well as respondents No.4 and 5 and by passing a detailed and speaking order.

A copy of the order be given dasti on payment of usual charges.

(Viney Mittal)
Judge

October 10, 2006
KD

(H.S. Bhalla)
Judge